REMARKS

The Office Action dated December 8, 2008 was received and carefully reviewed.

Claims 1, 2, 4-9, and 12 were pending in this application prior to the office action. By this amendment, claims 1, 2, 4-9 are amended to clarify the invention, and not for reasons of patentability. Thus, claims 1, 2, 4-9, and 12 are currently pending in this application.

In view of the above amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of the application.

Claim Rejections

Claims 1 and 4 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Miyakawa (U.S. Patent No. 6,051,150) (*Miyakawa*, hereinafter). Claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Miyakawa*. Claims 2, 5, 7-8, and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Miyakawa* in view of Inoue (JP 07-024579) (*Inoue*, hereinafter). Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Miyakawa* in view of Seki (JP 11-340129) (*Seki*, hereinafter). Applicant traverses this rejection for at least the reasons set forth below.

The present independent claims 1, 2, 4, and 5, and the claims dependent therefrom, are patently distinguishable over *Miyakawa*, *Inoue*, and *Seki*, since *Miyakawa*, *Inoue*, and *Seki*, either taken alone or in combination, fail to disclose, teach or suggest all of the features recited in pending independent claims 1, 2, 4, and 5. For example, independent claim 1 (emphasis added) recites:

> 1. A manufacturing method of a device in a plasma treatment chamber comprising the step of:
>
> forming a wiring by partially etching a conductor film over a substrate by discharging a plasma to the plasma treatment chamber from a plasma treatment means having one set of electrodes contained therein for generating the plasma at a pressure of 5 to 800 Torr from a reactive gas introduced to the plasma treatment means,
>
> wherein the plasma treatment means is provided in the plasma treatment chamber, and
>
> **wherein one electrode of the set of electrodes surrounds the other electrode of the set of electrodes.**

Independent claim 2 (emphasis added) recites:

> 2. A manufacturing method of a device in a plasma treatment chamber comprising the step of:
>
> forming a wiring by partially etching a conductor film over a substrate by discharging a plasma to the plasma treatment chamber from a plasma treatment means having a plurality of sets of electrodes contained therein for generating the plasma at a pressure of 5 to 800 Torr from a reactive gas introduced to the plasma treatment means,
>
> wherein the plasma treatment means is provided in the plasma treatment chamber, and
>
> **wherein one electrode of the plurality of sets of electrodes surrounds the other electrode of the plurality of sets of electrodes, respectively.**

Independent claim 4 (emphasis added) recites:

> 4. A manufacturing method of a device comprising the steps of:
>
> forming a conductor film over a substrate;
>
> forming a resist mask over the conductor film; and
>
> partially etching the conductor film at a pressure of 5 to 800 Torr by discharging a plasma to a plasma treatment chamber from a plasma treatment means having one set of electrodes contained therein for generating the plasma from a reactive gas introduced to the plasma treatment means, over the resist mask thereby forming a wiring,
>
> wherein the plasma treatment means is provided in the plasma treatment chamber, and
>
> **wherein one electrode of the set of electrodes surrounds the other electrode of the set of electrodes.**

Independent claim 5 (emphasis added) recites:

> 5. A manufacturing method of a device comprising the steps of:
>
> forming a conductor film over a substrate;
>
> forming a resist mask over the conductor film; and
>
> partially etching the conductor film at a pressure of 5 to 800 Torr by discharging a plasma to a plasma treatment chamber from a plasma treatment means having a plurality of sets of electrodes contained therein for generating the plasma from a reactive gas introduced to the plasma treatment means, over the resist mask thereby forming a wiring,
>
> wherein the plasma treatment means is provided in the

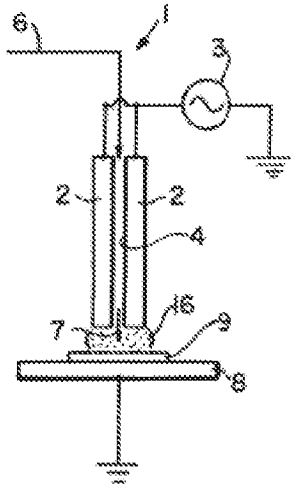
plasma treatment chamber, and

wherein one electrode of the plurality of sets of electrodes surrounds the other electrode of the plurality of sets of electrodes, respectively.

Thus, independent claims 1 and 4 are directed to, *inter alia*, the feature of one electrode of the set of electrodes surrounds the other electrode of the set of electrodes. Further, independent claims 2 and 5 are directed to, *inter alia*, the feature of one electrode of the plurality of sets of electrodes surrounds the other electrode of the plurality of sets of electrodes, respectively.

Applicant respectfully submits that *Miyakawa*, *Inoue*, and *Seki*, either taken alone or in combination, fail to disclose, teach, or suggest at least the feature of one electrode of the set of electrodes surrounds the other electrode of the set of electrodes, as recited in independent claims 1 and 4. Furthermore, Applicant respectfully submits that *Miyakawa*, *Inoue*, and *Seki*, either taken alone or in combination, fail to disclose, teach, or suggest at least the feature of one electrode of the plurality of sets of electrodes surrounds the other electrode of the plurality of sets of electrodes, respectively, as recited in independent claims 2 and 5.

In fact, *Miyakawa* (emphasis added) discloses a "[s]urface processing apparatus **1** is of a so-called 'line type', and comprises a pair of electrodes **2** which may be vertically disposed opposite to each other with a predetermined space therebetween defining a gap **4**" (see *Miyakawa*, e.g., FIG. 1, col. 4, lns. 52-56), as seen in the below surface processing apparatus portion of FIG. 1.



Thus, since *Miyakawa* (emphasis added) discloses "a pair of electrodes **2** which may be vertically disposed opposite to each other", *Miyakawa* cannot disclose the feature of one electrode of the set of electrodes surrounds the other electrode of the set of electrodes, as recited in independent claims 1 and 4. Additionally, *Miyakawa* does not disclose one electrode of the plurality of sets of electrodes surrounds the other electrode of the plurality of sets of electrodes, respectively, as recited in independent claims 2 and 5.

Applicant contends that neither *Inoue* nor *Seki* make up for the above-recited deficiencies of *Miyakawa*. Thus, independent claims 1, 2, 4, and 5 are distinguishable over the disclosures of *Miyakawa*, *Inoue*, and *Seki*, either taken alone or in combination. Accordingly, Applicant respectfully requests the withdrawal of the rejection, and the allowance of the independent claims.

Claims 6-9 and 12 are allowable at least by virtue of their dependency from one of the independent claims, but also because they are distinguishable over the cited prior art.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. If, however, the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney/agent to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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